

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MARCELINO MARTINEZ-RUIZ,  
  
Defendant.

NO. CR-12-2016-EFS

**ORDER GRANTING THE USAO'S ORAL  
MOTION TO DISMISS, STRIKING  
ALL HEARINGS AND DEADLINES,  
AND CLOSING FILE**

A pretrial conference occurred in this matter on November 9, 2012, concurrent with Defendant's sentencing in Cause No. CR-12-2019-EFS. Defendant Marcelino Martinez-Ruiz was present, represented by Alison Guernsey. Shawn Anderson appeared on behalf of the U.S. Attorney's Office (USAO). Before the Court was the parties' plea agreement in Cause No. CR-12-2019-EFS, which the Court previously construed as a motion by the USAO to dismiss the Indictment in the above-captioned case. See ECF No. [50](#).

At the hearing, the Court granted the USAO's motion and dismissed the Indictment. This Order memorializes the Court's oral ruling.

For the reasons stated on the record, **IT IS HEREBY ORDERED:**

1. The USAO's motion to dismiss the Indictment is **GRANTED**.
2. The Indictment, ECF No. [1](#), is **DISMISSED WITH PREJUDICE**.

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1 3. All pending deadlines and hearing dates are **STRICKEN**, and all  
2 pending motions are **DENIED AS MOOT**.

3 4. The Clerk's Office shall **CLOSE** this file.

4 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this  
5 Order and to provide copies to all counsel, the U.S. Marshals Service,  
6 and the U.S. Probation Office.

7 **DATED** this 7<sup>th</sup> day of November 2012.

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EDWARD F. SHEA  
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